

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

PAUL J. FROMMERT, et al.,

Plaintiffs,

v.

ORDER

00-CV-6311(L)

SALLY L. CONKRIGHT, XEROX CORPORATION PENSION
PLAN ADMINISTRATOR, PATRICIA M. NAZEMETZ,
XEROX CORPORATION PENSION PLAN ADMINISTRATOR,
XEROX CORPORATION, LAWRENCE M. BECKER, XEROX
CORPORATION PENSION PLAN ADMINISTRATOR and
XEROX CORPORATION RETIREMENT INCOME
GUARANTEE PLAN

Defendants.

IT IS HEREBY ORDERED that, upon the review of Defendants' Memorandum of Law, accompanying declaration and affidavit, and exhibits in support of their Motion for an Expedited Hearing on Defendants' Motion for an order either: (i) permitting defendants to modify the existing schedule, set out in a letter dated February 11, 2009 previously submitted to the Court, for payments to those plaintiffs who have not yet received them; or (ii) staying enforcement of remaining payments to be made under this Court's Decision and Order dated January 24, 2007, pending resolution by the Supreme Court of issues on which it has granted Certiorari, without the necessity of filing a bond, or alternatively, setting the amount of the bond, that Defendants' Motion for an Expedited Hearing is **GRANTED**.

IT IS HEREBY FURTHER ORDERED that:

1. On or before July 17, 2009, Plaintiffs shall file and serve electronically any papers in response to Defendants' Motion for an order allowing modification of the existing payment schedule or staying remaining payments required to be made.

2. On or before July 22, 2009, Defendants shall file and serve electronically any reply papers in further support of Defendants' Motion.
3. This Court will hear oral argument on Defendants' Motion on July 24, 2009, at 10:00 AM at the United States District Courthouse, Western District of New York, 100 State Street, Rochester, New York.
4. The Court is willing to entertain argument by telephone conference.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", written over a horizontal line.

DAVID G. LARIMER

UNITED STATES DISTRICT JUDGE

Dated: Rochester, New York

July 9, 2009.